

Norwich Planning Commission
Minutes - March 16, 2005
(approved March 30, 2005)

Tracy Hall - Conference Room

Regular meeting call to order at 6:44 p.m.

Members Present: Daniel Johnson (Chair), Alison McCree, Stuart Richards, Jeffrey Mathias, Warren Loomis

Absent: Lynn McGrew, Jack Harned , Douglas Hoffman

Staff: Phil Dechert

Others: Pete Fellows, Alison May

1. Approve Agenda - Agenda approved by unanimous consent after modifications to: switch the order of items 4 and 5, adding the approval of draft minutes of the 1/19/05 meeting to #4, adding distribution and posting on the web of approved minutes to #4, adding a vote on survey consultant selection to item #7 per draft minutes of 3/2/05.

2. Comments from the Public - none

3. Announcements & Correspondence:

- 4/6/05 VLCT will present Municipal Lands & Acquisition training. D. Johnson ask if someone would attend. W. Loomis indicated he would be interested.

- 4/13/05 will be the spring 2005, 60th Annual Town Officers' Education Conference at Lake Morey Resort in Fairlee VT. More info and registration can be found on-line at www.regonline.com

- J. Mathias endorsed a book "Above and Beyond" by Campoli, Humstone, and MacLean and published by the American Planning Association as providing valuable insight into growth and change in Norwich and in particular the study of Mixed use. Mathias asked if some of the \$1000 left in the grant could be used to provide books for each of the other planning commissioners. The book cost \$55 plus shipping. P. Dechert indicated he would purchase at least two copies of the book.

5. Mixed-Use Project

Pete Fellows (TRORC) discussed the project and Charette. Consultant Jim Donovan is not available Saturdays, but April 27, 28 and 29 would work fine. P. Fellows also discussed, with a 3 page handout, the objective, products, schedule, weekly tasks, and to do list (including publicity). P. Fellows will e-mail planning commissioners the site information for the site walks.

Corrections and additions to the handout included:

The afternoon of 4/6 will be the target time for the site walks.

The planning commission will meet to select the sites on 3/30 or 4/6.

Publicity post cards will be mailed around 4/7.

Posters will be handled by TRORC.

Newspaper, web site and e-mail will be handled by our staff.

Rooms have been reserved by P Dechert.

Charette Schedule includes:

4/27 - 7:00 PM to 9:30 PM at Marrion Cross School multipurpose room.

4/28 - 1:00 PM to 9: PM at Tracy Hall selectboard room.

4/29 - 7:00 PM to 9:30 PM at Tracy Hall selectboard room.

J. Mathias ask if child care would be provided during the Charette. D. Johnson delegated J. Mathias to research that.

It was confirmed that the site walks/visits would be public meetings and discussions amongst commissioners could occur.

P. Fellows left at 7:15 PM and further discussion was held concerning possible sites. It was thought that the final sites would provide for a diversity of scenarios. The current list of possible sites include:

River Crossing (as mapped)

Lewiston (as mapped)

Route 5 South on East side

Route 5 South on West side

The Agway and Sherwin properties

The town fire and police property

Union Village hamlet (around intersection of Academy Road and Route 132)

4. Minutes - 12/8/04, 12/15/04, 3/2/05 (added 1/19/05)

Motion by S. Richards to approve 3/2/05 minutes including amendments,

2nd D. Johnson,

amendments included:

Under 5) adding "It was suggested that day care be provided during the Charette." - J. Mathias

Under 8) changing "McGrew will be asked by the chair" to "McGrew was delegated by the chair"

and making it more clear that there was unanimous consent for the Chair to delegate McGrew for this activity. - J. Mathias

passed unanimous.

Motion by S. Richards to approve 12/15/04 minutes including the written corrections from J. Mathias (attached).

2nd W. Loomis

passed 4-0-1 (For: D. Johnson, S. Richards, J. Mathias, W. Loomis; Abstention: A. McCree)

Motion by S. Richards to approve 12/8/04 minutes including the written corrections from J. Mathias (attached).

2nd J. Mathias

passed unanimous

Motion by S. Richards to approve 1-19-05 draft minutes.

2nd D. Johnson

passed 3-0-2 (For: D. Johnson, S. Richards, J. Mathias; Abstention: A. McCree, W. Loomis)

There was some discussion on placing minutes on the town web site and the distribution of draft minutes in a timely fashion. It was suggest that the town manager's assistant might distribute minutes and put them on the town web site. D. Johnson indicated he would talk to the town manager about this. It was felt that a standard town wide procedure for distributing town committee and board minutes and drafts should be investigated.

6. Zoning Regulation Revisions

Meeting with the DRB on 3/30/05. Prior to meeting, commissioners should send out any comments pertinent to the joint meeting. J. Mathias will forward previous comments from Watt and Chris to planning commissioners.

P. Dechert will generate a list of topics from our previous discussions to complete the zoning revision.

7. Survey

S. Richards reported that 3 bids have been received for the Survey from TROPC, Burnt Rock and Yellow Wood Associates. TROPC was about half the hourly cost of the other two. Discussion included which aspects might be assigned to the consultant and which might be done in-house and the associated costs.

Motion by S. Richards - The Planning Commission will work with TROPC to draft and produce a final survey at a cost of \$30/hour, not to exceed \$1500.

2nd D. Johnson

passed - unanimous

It was thought that the above work might involve 2 drafts and a final.

With unanimous consent of the planning commissioners in attendance, the Chair delegated S. Richards the authority to approach various town committees, boards and individuals concerning the Survey with the purpose to gain an understanding of the issues and the attitudes by asking for input on the Survey. The requests would be made in general and not specific to only the town plan or zoning. The consultants would not be contacted nor a contract presented until after further discussion and approval by the planning commission, including the presence of J. Harned, at the March 30 meeting.

8. New Business

Alison May (Selectboard Chair) indicated that the planning commission was invited to a joint meeting with the selectboard on May 11 from 5:30 PM to 7:00 PM. The meeting was scheduled.

There was some discussion as to the proper protocol of planning commission decisions and release of decisions to the public.

J. Mathias brought up an issue concerning the regulation of town development. P. Dechert indicated that there is site plan review but not conditional use review. J. Mathias expressed concern that if a development such as a new police/fire station was placed in a residential neighborhood that neighbors and their concerns might not be adequately involved.

P. Dechert commented that planning commissioners should not be communicating with VLCT or TROPC. J. Mathias indicated that although he had not recently talked with VLCT, in the past he had inquired of an attorney at VLCT this very issue. J. Mathias stated that he was informed by VLCT that VLCT charges for written opinions but that telephone consultations are free, and further, that any town official is encouraged to contact VLCT concerning legal issues as this is a service they provide.

9. Old Business - none discussed.

10. Future Agenda Items

Future Meetings include:

Wednesday, March 30 - 6:30 PM - With DRB

on or around April 6 (to be determined) - Mixed Use site visits

Wednesday, April 6 - 6:30 PM

Wednesday, April 20 - 6:30 PM

Wednesday, Thursday, Friday April 27 - 29 - Mixed Use Charrette

Wednesday, May 11 - 5:30 PM to 7:00 PM - meet with Selectboard

11. Comments from the Public - none

12. Adjournment -

Motion by A. McCree to adjourn

2nd W. Loomis

passed unanimous

Acting clerk: Jeffrey D. Mathias

Attachment to March 16, 2005 Planning Commission Minutes -
Written corrections to draft minutes from J. Mathias

Fellow Commissioners,

Following are corrections to the PC Draft Minutes from meetings on 12/8 and 12/15.

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December 8, 2004 Meeting

Change

5.2 (C)(10) - Add wording from July Fragile Features memo as requested in Mathias 12/5/04 memo. ".....and/or the other features identified in Section 3.12, the town plan, zoning overlay maps, or through field investigation."

to

5.2 (C)(10) - Add wording from July Fragile Features memo as requested in Mathias 12/5/04 memo. ".....and/or floodplains, and/or the other features listed in Section 3.x identified in the zoning overlay maps, the town plan or through field investigation."

(as this is the suggested wording from the Feature Protection Subcommittee.)

5.3(C)(3) - Add "bicyclists" after "pedestrians"
should be

5.3(D)(3) - Add "bicyclists" after "pedestrians"

Change

5.4(D)(6) - Discussion of Mathias' addition of DNR review. No change
to

5.4(D)(6) - Mathias indicated that the 10/20 minutes stated:

"Add language requiring applicants to consult with the DNR regarding waste disposal systems."

It was thought this issue was brought up by Richards.

And, Is DNR supposed to be ANR?

As I recall:

Mathias moved, Seibert second - motion to amend - change 20% to 30%.
was

Seibert moved, Mathias second - motion to amend - change 20% to 30%.

After the above motion there was the following motion:

Loomis moved, Richards(?) second - motion to amend - keep 20%.

Motion to amend failed 3-5 For: Johnson, Loomis, Richards Against: Harned, Seibert, Mathias, McGrew, McRee

And change

??? moved, ??? second - motion to amend - change 20% to 25%

to

Mathias moved, Seibert second - motion to amend - change 20% to 25%

++++

December 15, 2004 meeting

Article 6

J. Mathias asked why 6.1(H) Fragile Features, based on his memo of 7/21/04, was not included in the draft document as the PC had voted to include it. P. Dechert said that he did not feel that the vote was clear, but that he would include it.

Add the following:

It was also acknowledged that all elements in the memo of 7/21/04 would be included, including modifications to Section 6.2 (A) (3), (4) and (5).

Article 7

J. Mathias asked that fragile features definitions be included; no action was taken.

Change to:

Article 7

J. Mathias indicated that fragile features definitions had not been included even though approved at a previous meeting. The consensus was that the language concerning fragile features from the July 24, 2004 memo would be included.

Wetland: Discussion of possible definitions. The PC wanted the Conservation Commission's input. J. Harned said that he would ask D. Johnson to call the Chair of the CC. J. Mathias insisted that he would bring it up at the next meeting.

Change last sentence to:

J. Mathias suggested using the Vermont definition.

J. Mathias proposed adding language to cover the farmstead clusters in the RR and VR zones. No action was taken.

My recollection is that a cross reference would be provided. Add the following:

A cross reference to section 5.5(D)(8) Farmstead Clusters would be included in Table 2.1 and Table 2.2.

Article 5

5.2(C)(10)- remove "identified" and add "identified in" so the second to last sentence reads ".....other features in Section 3.12, identified in the town plan....."

Change the quoted second to last sentence to:

"... floodplains, and/or the other features listed in Section 3.12, identified in the town plan, the zoning overlay maps or through field investigation."

J. Harned asked if the maps were an essential part to be sent out with the zoning regulations. P. Dechert said that they did not have to be included, but would be posted at the forum.

Add:

It was indicated that the zoning maps were an official part of the zoning regulations.

P. Dechert reviewed the maps. 5 maps had legal/hard boundaries: ...

I have a concern with the use of the term "legal/hard" as this may be an opinion of P. Dechert and the PC has not yet heard an opinion on this from either the Regional Planning Commission or

the Agency of Natural Resources which use such boundaries. This can be corrected by inserting before "5 maps" "In P. Dechert's opinion,"

7. New Business

S. Richards suggested that Mixed Use needed to be on the next agenda.

This statement seems to be taken out of context. I do not believe this statement related to the zoning revision, but rather to the town plan update.